

IN THE CIRCUIT COURT OF STONE COUNTY, MISSISSIPPI

FILED

OCT 11 2019

IN RE:

STATE OF MISSISSIPPI

VERSUS

BY JEFFREY L. O'NEAL, CLERK
[Signature]

SONNY WADE MORRIS	B6601	2010-086
ADRIAN RAY HARRIS	B6601	2010-122
ELESTER WILLIAMS, JR.	B6601	2013-042
MICKEY GENE HARRELL	B6601	2014-068
LOYD BRANDON SMITH	B6601	2015-007
DESTINI NICHOLE HACKER	B6601	2015-043
JASON MICHAEL HUGHES	B6601	2015-074
BRITTNEY ELIZABETH FORBISH	B6601	2015-075
JASMINE KORTECIA BROWN	B6601	2015-084
BRITTNEY ELIZABETH FORBISH	B6601	2016-004
CHRISTOPHER ALLEN WALTMAN	B6601	2016-034
LAURA DANIELLE WALTMAN	B6601	2016-034
MARSHALL E. ALLDAY	B6601	2016-075
ALEXANDER CAMRY LYONS	B6601	2017-046
RASHIDA M. JOHNSON	B6601	2017-062
QUAREZ DEMETRIUS BROWN	B6601	2017-066
MATTHEW EVANS LIZANA	B6601	2018-014
JACKLYN RENE LYND	B6601	2018-026
ROBIN EUGENE McCRAY	B6601	2018-030
MALIK SAVON DENNIS	B6601	2018-031
NEKEDIA KENNEDY	B6601	2018-040
TROY LEE POOLE	B6601	2018-043
BILLY R. COOLEY, JR.	B6601	2018-048
CHAYLEN D. HARRIS	B6601	2018-055
BRIAN MARTIN BOLLING	B6601	2018-060
ARSENIO DIAZ BRELAND	B6601	2018-068
DONIEL TAYLOR KING	B6601	2018-074
JOSEPH WAYNE BREWER	B6601	2018-076
CLIFTON WENDELL KING	B6601	2018-091
ROBERT ALFREDO McCRAY	B6601	2019-008
JOSEPH CRAIG EPISCOPO	B6601	2019-010
APRIL LYNN WATTS	B6601	2019-011
JACOB RYAN CONWAY	B6601	2019-022
KEITH ALAN DAWKINS	B6601	2019-024
PAULA ANTOINETTE CUNNINGHAM	B6601	2019-027
MICHAEL DANIEL EVANS	B6601	2019-036

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CITATION TO SHOW CAUSE

**JEFFERY O'NEAL
STONE COUNTY CIRCUIT CLERK
323 EAST CAVERS AVE.
WIGGINS, MS. 39577**

During the months of 2019, the undersigned judges conducted hearings in the above styled and numbered cases.¹ Each hearing disposed of the matter then pending before the Court. Thereafter, the duty to prepare an appropriate order fell upon the clerk for presentation to the presiding judge. Additionally, the clerk is statutorily required to prepare a commitment paper for those defendants sentenced to a term of incarceration with the Mississippi Department of Corrections or a copy of a probation order for those under the supervision of the Division of Community Corrections.

Miss. Code §99-1-45 reads as follows:

The clerks of the circuit court of the counties in the State of Mississippi **shall** furnish the Mississippi Department of Corrections, within five (5) days after adjournment of court, a commitment paper showing the name, sex, race and social security number of the person convicted and the crime committed, along with certified copies of the sentencing order and indictment, as well as any subsequent order entered by the court in such cause.

The clerks **shall** also furnish the Department of Corrections, within five (5) days after adjournment of such court, a certified copy of the probation order of an individual who is placed on probation under the supervision of the Division of Community Corrections of the department. Such order shall provide the name of the person placed on probation, the crime, term of sentence, date of sentence, period of probation, sex, race and a brief history of the crime committed.

¹ This show cause order does not address every case in which the undersigned cannot locate the appropriate order or other filing required to be in the case file or on the MEC.

As compensation for such services they shall receive the sum of Fifty Cents (50¢) for each transcript, and the sum shall be paid out of the treasury of the county, with the approval of the board of supervisors, on the filing of a bill for such service. (Emphasis added).

The court terms have ended in the county in which the defendant appeared, and well past five (5) days have expired following each disposition

The undersigned are unable to ascertain in which, if any, of the above cases the clerk has prepared a sentencing order. No orders have been posted to the Mississippi Electronic Courts (MEC) as required. It is also apparent that the clerk has not prepared and transmitted any papers (commitment, probation and/or conviction orders) to the Mississippi Department of Corrections. As such, it would plainly appear that the clerk is in violation of Miss. Code §99-1-45. It is therefore,

ORDERED that Stone County Circuit Clerk Jeffery O'Neal shall appear before the judges of the Circuit Court on Tuesday, October 22, at 1:30 P.M. in the Circuit Courthouse of Harrison County, Gulfport, Mississippi to show cause why he should not be held in contempt of court for his failure to prepare orders of disposition, preparing and transmitting commitment papers to the Mississippi Department of Corrections, and/or posting the Court's orders to the MEC system.

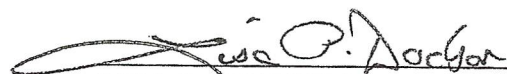
SO ORDERED, this the 11th day of October, 2019.




ROGER T. CLARK
CIRCUIT COURT JUDGE



LAWRENCE P. BOURGEOIS
CIRCUIT COURT JUDGE



LISA P. DODSON
CIRCUIT COURT JUDGE



CHRISTOPHER L. SCHMIDT
CIRCUIT COURT JUDGE